

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

1) JORGE E. PARET-RUIZ a/k/a Berto
2) EFRAIN SANTANA-ORTIZ a/k/a Jeffrey
3) ADALBERTO CORIANO-APONTE
a/k/a Berto

Defendants

CRIMINAL 05-0264CCC

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on March 2, 2006 the defendant Adalberto Coriano-Apone was convicted on Counts One and Three which charged the defendant with violations of Title 21, United States Code, Sections 841 and 846,

AND WHEREAS pursuant to Title 21, United States Code, Sections 853 and 881, and based on defendant Coriano-Apone's Plea and Forfeiture Agreement, he agreed to the entry of personal money judgment in the amount of FOUR MILLION EIGHTY-FIVE THOUSAND DOLLARS (\$4,085,000.00),

AND WHEREAS, the United States has made a sufficient showing of the forfeitability of the property in that this amount constitutes property involved in the offenses for which the defendant was convicted, as well as constitutes proceeds traceable to such property drug trafficking activity;

AND WHEREAS, by virtue of the Conviction, as well as the defendant's Plea and Forfeiture Agreement, the United States is now entitled to possession of said property, pursuant to Title 21, United States Code, Sections 853 and 881 and Rule 32(d) of the Federal Rules of Criminal Procedure:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1) That defendant Adalberto Coriano-Apone shall forfeit to the United States FOUR MILLION EIGHTY-FIVE THOUSAND DOLLARS (\$4,085,000). The United States is

hereby authorized to seize the same for disposition in accordance with the law, subject to the provisions of Title 18, United States Code, Section 982(b)(1)(A) referring to Title 21, United States Code, Section 853.

2. That the aforementioned forfeited property is to be held by the United States Marshals Service in their secure custody and control.

3. That pursuant to Title 21, United States Code, Section 853, the United States forthwith shall publish three times for three consecutive weeks in "El Nuevo Día," a newspaper of general circulation in the Island of Puerto Rico, notice of this Order, notice of the U.S. Marshals Service's intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the Court within thirty (30) days of the publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited property and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That pursuant tot Title 21, United States Code, Section 853(p) in the event that the property mentioned above (A) cannot be located upon the exercise of due diligence, (B) has been transferred or sold to, or deposited with, a third party; (C) has been placed beyond the jurisdiction of the Court; (D) has been substantially diminished in value; or (E) has been commingled with other property which cannot be divided without difficulty, any other property of the defendant up to the value of FOUR MILLION EIGHTY-FIVE THOUSAND DOLLARS (\$4,085,000.00) shall be forfeited to the United States.

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5. That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853, in which all interests will be addressed.

SO ORDERED.

At San Juan, Puerto Rico, on July 12, 2006.

S/CARMEN CONSUELO CEREZO
United States District Judge